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WASHINGTON, D.C. 20231  
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APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
10/020,674	10/30/2001	Hiroaki Yamamoto	06501-092001

JANIS K. FRASER, PH.D., J.D.  
Fish & Richardson P.C.  
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Boston, MA 02110-2804



CONFIRMATION NO. 1427

## FORMALITIES LETTER



\*OC00000007512233\*

Date Mailed: 02/21/2002

## NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

04/22/2002 HTECKLU1 00000044 10020674

FILED UNDER 37 CFR 1.53(b)

01 FC:105

130.00 DP

Filing Date Granted

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The oath or declaration is missing.  
*A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.*
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(l) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.
- **The balance due by applicant is \$ 130.**
- This application does not contain a statement that the content of the sequence listing information recorded in computer readable form is identical to the written (on paper or compact disc) sequence listing and, where applicable, includes no new matter, as required by 37 CFR 1.821(e), 1.821(f), 1.821(g), 1.825(b), or 1.825(d). Applicant must provide such statement. If the effective filing date is on or after September 8, 2000, see the final rulemaking notice published in the Federal Register at 65 FR 54604 (September 8, 2000) and 1238 OG 145 (September 19, 2000).
- A copy of the "Sequence Listing" in computer readable form has not been submitted as required by 37 C.F.R. 1.821(e). If the effective filing date is on or after September 8, 2000, see the final rulemaking notice published in the Federal Register at 65 FR 54604 (September 8, 2000) and 1238 OG 145 (September 19, 2000). Applicant must provide an initial computer readable form (CRF) copy of the "Sequence Listing" and a statement that the content of the sequence listing information recorded in computer readable form is identical to the written (on paper or compact disc) sequence listing and, where applicable, includes no new matter, as required by 37 CFR 1.821(e), 1.821(f), 1.821(g), 1.825(b), or 1.825(d). If applicant desires the sequence listing in the instant application to be identical with that of another application on file in the U.S. Patent and Trademark Office, such request in accordance with 37 CFR 1.821(e) may be submitted in lieu of a new CRF.

For questions regarding compliance to these requirements, please contact:

- For Rules Interpretation, call (703) 308-4216
- To Purchase PatentIn Software, call (703) 306-2600
- For PatentIn Software Program Help, call (703) 306-4119 or e-mail at [patin21help@uspto.gov](mailto:patin21help@uspto.gov) or [patin3help@uspto.gov](mailto:patin3help@uspto.gov)

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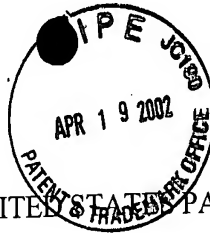
*A copy of this notice MUST be returned with the reply.*

A handwritten signature in black ink, consisting of several loops and a long horizontal stroke at the end.

Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 1 - ATTORNEY/APPLICANT COPY



Attorney's Docket No.: 06501-092001 / D1-A0009-US

MP8

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : Hiroaki Yamamoto et al.      Art Unit : 1633  
Serial No. : 10/020,674      Examiner : Unknown  
Filed : October 30, 2001  
Title : NOVEL (R)-2,3-BUTANEDIOL DEHYDROGENASE

**BOX MISSING PARTS**  
Commissioner for Patents  
Washington, D.C. 20231

RESPONSE TO NOTICE TO FILE MISSING PARTS OF APPLICATION

In response to the Notice to File Missing Parts of Application under 37 U.S.C. §1.53(b) mailed February 20, 2002 (copy enclosed), applicants as a large entity submit herewith the following:

- ☒ Payment of the surcharge of \$130 for late filing of the basic filing fee and/or declaration;
- ☒ A Combined Declaration and Power of Attorney in compliance with 37 CFR §1.63;
- ☒ Verified Statement Under 37 CFR §1.821(f), 1 pg.; Sequence Listing, 6 pgs.; Computer-readable Diskette; and
- ☒ Preliminary Amendment, 6 pgs.

It is understood that this perfects the application and no additional papers or filing fees are required.

CERTIFICATE OF MAILING BY FIRST CLASS MAIL

I hereby certify under 37 CFR §1.8(a) that this correspondence is being deposited with the United States Postal Service as first class mail with sufficient postage on the date indicated below and is addressed to the Commissioner for Patents, Washington, D.C. 20231.

APR 16, 2002  
Date of Deposit

Kathleen Philpott  
Signature

KATHLEEN PHILPOT  
Typed or Printed Name of Person Signing Certificate

Applicant : Hiroaki Yamamoto et al.  
Serial No. : 10/020,674  
Filed : October 30, 2001  
Page : 2

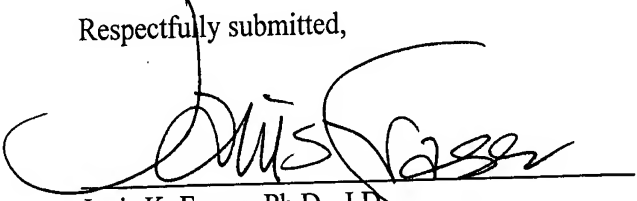
Attorney's Docket No.: 06501-092001

Please apply any other charges or credits to Deposit Account No. 06-1050.

Respectfully submitted,

Date:

April 16, 2002

  
Janis K. Fraser, Ph.D., J.D.  
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